

BEFORE THE FEDERAL ELECTION COMMISSION

ENFORCEMENT PRIORITY SYSTEM
DISMISSAL REPORT

MUR: 7360

Respondents: Liuba for Congress and
Sue Jackson, as Treasurer
("the Committee"),
Liubov "Libua" Grechen
Shirley¹

Complaint Receipt Date: April 9, 2018

Response Date: May 2, 2018

EPS Rating:

Alleged Statutory

52 U.S.C. §§ 30101(2), 30102(e)(1), 30103(a)

Regulatory Violations:

11 C.F.R. §§ 100.3, 101.1(a), 102.1(a)

The Complaint alleges that Shirley failed to file financial disclosure forms as required by the Ethics in Government Act of 1978 despite the fact that she was campaigning for office, had raised the required financial minimum, and publicly announced her candidacy.² The Response states that, regardless of the merits of the complaint, the allegation is outside the Commission's jurisdiction.

Based on its experience and expertise, the Commission has established an Enforcement Priority System using formal, pre-determined scoring criteria to allocate agency resources and assess whether particular matters warrant further administrative enforcement proceedings. These criteria include (1) the gravity of the alleged violation, taking into account both the type of activity and the amount in violation; (2) the apparent impact the alleged violation may have had on the electoral process; (3) the complexity of the legal issues raised in the matter; and (4) recent trends in

¹ On her amended Form 2, the candidate lists her name as Liubov "Liuba" Grechen Shirley. Shirley is a 2018 candidate for the U.S. House of Representatives in New York's Second Congressional District. Liuba for Congress is her principal campaign committee.

² Although the *pro se* Complaint does not cite to a provision of the Federal Election Campaign Act of 1971, as amended, the Complaint, liberally construed, alleges that Shirley was a candidate in 2017, and our review of the Committee's filings suggests that Shirley may have filed her Statement of Candidacy about two months late. See 52 U.S.C. §§ 30101(2), 30102(e)(1); 11 C.F.R. §§ 100.3, 101.1(a). We note that the Committee received over \$5,000 in contributions in October 2017, but Shirley did not file her Statement of Candidacy until January 22, 2018. There is no information, however, that the Committee's Statement of Organization, filed on October 3, 2017, was untimely. We make no recommendation as to the apparently untimely Statement of Candidacy because it was not directly alleged in the complaint.

potential violations and other developments in the law. This matter is rated as low priority for Commission action after application of these pre-established criteria. We recommend that the Commission dismiss the complaint as it appears the Commission lacks jurisdiction. We also recommend that the Commission close the file as to all Respondents and send the appropriate letters.

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6.7.18
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04/27/2018 11:21:00 AM